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Message Text

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PAGE 01 BANGKO 02757 181008Z

21
ACTION L-02

INFO OCT-01 EA-10 ISO-00 PM-03 DODE-00 /016 W
---------- 077670
R 180854Z FEB 75
FM AMEMBASSY BANGKOK
TO SECSTATE WASHDC 845

UNCLAS BANGKOK 2757

E.O. 11652: N/A
TAGS: MILI TH
SUBJECT: LENG V. KORAT NCO OPEN MESS ET AL

FOR LEGAL ADVISER'S OFFICE

FOLLOWING MESSAGE WAS RECEIVED FROM 388 CSG KORAT RTAFB, THAILAND/JA DATED 14 FEBRUARY 1975.

QUOTE

1. REFERENCE CIVIL LITIGATION LENG V. KORAT NCO OPEN MESS ET AL AND YOUR MESSAGE OF 14 FEB 75. 1735Z. ATTORNEY CHUMLONG HAS BEEN RETAINED AND INSTRUCTED AS INDICATED IN YOUR MESSAGE. CHUMLONG AND ATTORNEY PAITOOL OF THIS OFFICE ATTENDED THE HEARING THIS MORNING 14 FEB 75. AT 0830 HOURS (LOCAL)

2. CHUMLONG INFORMED THE COURT THAT HE WAS NOT AUTHORIZED TO APPEAR ON BEHALF OF USG. PAITOOL STATED THAT HE WAS MERLY AN OBSERVER. THE COURT ACCEPTED THESE FACTS AND ACKNOWLEDGED THAT NO VALID SERVICE OF PROCESS FHAD BEEN ACHIEVED TO DATE. THE HEARING ON PLAINTIFF'S MOTION TO ATTACH THE NCO OPEN MESS FUNDS PRESENTLY IN THE BANK OF AMERICA WAS THEREFORE POSTPONED UNTIL 11 APRIL 1975. AT 0830. HOURS (LOCAL)

3. THE JUDGE STATED THE IMPORTANCE OF NEGOTIATIONS. PLAINTIFF LENG OFFERED TO SETTLE FOR ONE MILLION TWO HUNDRED THOUSAND BAHT (1,200,000 BHAT, APPROXIMATELY SIXTY THOUSAND DOLLARS)
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PAITOOL INDICATED THAT HE DID NOT HAVE AUTHORITY TO NEGOTIATE

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AT THIS TIME BUT THAT SUCH FIGURE WAS ENTIRELY UNREASONABLE. THE JUDGE ASKED IF THE ORIGINAL USG OFFER OF ONE HUNDRED THOUSAND BAHT (100,000 BAHTAPPROXIMATELY FIVE THOUSAND DOLLARS) WAS STILL OPEN. PAITOOL STATED THAT HE WAS UNSURE. THE JUDGE THEN EMPHASIZED THE IMPORTANCE OF SOMEONE HAVING THE AUTHORITY TO NEGOTIATE ON BEHALF OF USG.

4. THIS OFFICE BELIEVES THAT PLAINTIFF IS NOW AWARE OF HIS PRECARIOUS POSITION WITHRESPECT TO POSSIBLE DEFENSE OF DIPLOMATIC IMMUNITY AND IS WILLING TO ENTER MORE REASONABLE NEGOTIATIONS. REQUEST INSTRUCTIONS REGARDING AUTHORITY TO NEGOTIATE SETTLEMENT LIMITS AND FUTURE CONDUCT OF LITIGATION. END QUOTE.
KINTNER

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NNN

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Decaption Note:
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Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
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